

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 955, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236a, 237, 238, 239, 239a, 240, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265, 267, 268, 269, 270, 273, 274, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1840, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 263b, 265a, and 293a; and to repeal acts and parts of acts.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools, the intermediate school districts, community colleges, and public universities of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 236, 236a, 237, 238, 239, 239a, 241, 242, 243, 244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a, 264, 265,

267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293 (MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a, 388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851, 388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857, 388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874, 388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 246, 265a, 273a, and 293a; and to repeal acts and parts of acts.

Tonya Schuitmaker

Chuck Moss

Roger Kahn

Kevin Cotter

Morris W. Hood III

Joan Bauer

Conferees for the Senate

Conferees for the House

**SUBSTITUTE FOR
SENATE BILL NO. 955**

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending sections 236, 236a, 237, 238, 239, 239a, 241, 242, 243,
244, 245, 251, 252, 253, 254, 255, 256, 257, 258, 261, 263, 263a,
264, 265, 267, 268, 269, 270, 273, 274, 274a, 275, 275a, 276, 277,
278, 279, 280, 281, 282, 283, 284, 285, 286, 289, 290, 291, and 293
(MCL 388.1836, 388.1836a, 388.1837, 388.1838, 388.1839, 388.1839a,
388.1841, 388.1842, 388.1843, 388.1844, 388.1845, 388.1851,
388.1852, 388.1853, 388.1854, 388.1855, 388.1856, 388.1857,
388.1858, 388.1861, 388.1863, 388.1863a, 388.1864, 388.1865,
388.1867, 388.1868, 388.1869, 388.1870, 388.1873, 388.1874,
388.1874a, 388.1875, 388.1875a, 388.1876, 388.1877, 388.1878,

388.1879, 388.1880, 388.1881, 388.1882, 388.1883, 388.1884, 388.1885, 388.1886, 388.1889, 388.1890, 388.1891, and 388.1893), as added by 2011 PA 62, and by adding sections 236b, 237b, 246, 265a, 273a, and 293a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 236. (1) Subject to the conditions set forth in this
2 article, the amounts listed in subsections (2) to ~~(5)~~(7) are
3 appropriated for higher education for the fiscal year ending
4 September 30, ~~2012~~,**2013**, from the funds indicated in this section.
5 The following is a summary of the appropriations in subsections (2)
6 to ~~(5)~~**(7)**:

7 (a) The gross appropriation is ~~\$1,362,278,400.00~~
8 **\$1,399,220,400.00**. After deducting total interdepartmental grants
9 and intradepartmental transfers in the amount of \$0.00, the
10 adjusted gross appropriation is
11 ~~\$1,362,278,400.00~~**\$1,399,220,400.00**.

12 (b) The sources of the adjusted gross appropriation described
13 in subdivision (a) are as follows:

14 (i) Total federal revenues, ~~\$98,326,400.00~~**\$97,026,400.00**.

15 (ii) Total local revenues, \$0.00.

16 (iii) Total private revenues, \$0.00.

17 (iv) Total other state restricted revenues,
18 ~~\$200,219,500.00~~**\$200,565,700.00**.

19 (v) State general fund/general purpose money,
20 ~~\$1,063,732,500.00~~**\$1,101,628,300.00**.

21 (2) Amounts appropriated for public universities are as
22 follows:

1 (a) The appropriation for Central Michigan University is
2 ~~\$68,108,900.00, \$61,431,100.00~~ **\$69,575,300.00, \$68,108,900.00** for
3 operations and ~~\$6,677,800.00~~ **\$1,466,400.00** for ~~tuition restraint~~
4 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

5 (i) State school aid fund, \$11,284,600.00.

6 (ii) State general fund/general purpose money,
7 ~~\$56,824,300.00~~ **\$58,290,700.00**.

8 (b) The appropriation for Eastern Michigan University is
9 ~~\$64,619,100.00, \$61,319,900.00~~ **\$66,297,500.00, \$64,619,100.00** for
10 operations and ~~\$3,299,200.00~~ **\$1,678,400.00** for ~~tuition restraint~~
11 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

12 (i) State school aid fund, \$10,706,400.00.

13 (ii) State general fund/general purpose money,
14 ~~\$53,912,700.00~~ **\$55,591,100.00**.

15 (c) The appropriation for Ferris State University is
16 ~~\$41,324,300.00, \$37,971,600.00~~ **\$42,981,400.00, \$41,324,300.00** for
17 operations and ~~\$3,352,700.00~~ **\$1,657,100.00** for ~~tuition restraint~~
18 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

19 (i) State school aid fund, \$6,846,800.00.

20 (ii) State general fund/general purpose money,
21 ~~\$34,477,500.00~~ **\$36,134,600.00**.

22 (d) The appropriation for Grand Valley State University is
23 ~~\$52,677,400.00, \$48,431,500.00~~ **\$55,097,500.00, \$52,677,400.00** for
24 operations and ~~\$4,245,900.00~~ **\$2,420,100.00** for ~~tuition restraint~~
25 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

26 (i) State school aid fund, \$8,727,800.00.

27 (ii) State general fund/general purpose money,

1 ~~\$43,949,600.00~~-\$46,369,700.00.

2 (e) The appropriation for Lake Superior State University is
 3 ~~\$10,789,500.00, \$10,055,100.00~~-\$11,030,700.00, \$10,789,500.00 for
 4 operations and ~~\$734,400.00~~-\$241,200.00 for ~~tuition restraint~~
 5 ~~incentive~~, **PERFORMANCE FUNDING**, appropriated from the following:

6 (i) State school aid fund, \$1,787,600.00.

7 (ii) State general fund/general purpose money,
 8 ~~\$9,001,900.00~~-\$9,243,100.00.

9 (f) The appropriation for Michigan State University is
 10 ~~\$293,746,600.00, \$222,796,200.00~~-\$298,733,800.00, \$241,120,800.00
 11 for operations, ~~\$18,324,600.00~~-\$3,408,400.00 for ~~tuition restraint~~
 12 ~~incentive~~, **PERFORMANCE FUNDING**, and ~~\$52,625,800.00~~-\$54,204,600.00
 13 for ~~agricultural experiment and cooperative~~ **MSU AGBIORESEARCH AND**
 14 **MSU** extension activities, appropriated from the following:

15 (i) State school aid fund, \$39,949,900.00.

16 (ii) State general fund/general purpose money,
 17 ~~\$253,796,700.00~~-\$258,783,900.00.

18 (g) The appropriation for Michigan Technological University is
 19 ~~\$40,733,600.00, \$37,409,700.00~~-\$42,409,900.00, \$40,733,600.00 for
 20 operations and ~~\$3,323,900.00~~-\$1,676,300.00 for ~~tuition restraint~~
 21 ~~incentive~~, **PERFORMANCE FUNDING**, appropriated from the following:

22 (i) State school aid fund, \$6,748,900.00.

23 (ii) State general fund/general purpose money,
 24 ~~\$33,984,700.00~~-\$35,661,000.00.

25 (h) The appropriation for Northern Michigan University is
 26 ~~\$38,367,400.00, \$36,225,200.00~~-\$40,348,800.00, \$38,367,400.00 for
 27 operations and ~~\$2,142,200.00~~-\$1,981,400.00 for ~~tuition restraint~~

1 ~~incentive, PERFORMANCE FUNDING~~, appropriated from the following:

2 (i) State school aid fund, \$6,356,900.00.

3 (ii) State general fund/general purpose money,

4 ~~\$32,010,500.00-\$33,991,900.00~~.

5 (i) The appropriation for Oakland University is

6 ~~\$43,145,000.00, \$39,313,500.00-\$44,033,300.00, \$43,145,000.00~~ for

7 operations and ~~\$3,831,500.00-\$888,300.00~~ for ~~tuition restraint~~

8 ~~incentive, PERFORMANCE FUNDING~~, appropriated from the following:

9 (i) State school aid fund, \$7,148,400.00.

10 (ii) State general fund/general purpose money,

11 ~~\$35,996,600.00-\$36,884,900.00~~.

12 (j) The appropriation for Saginaw Valley State University is

13 ~~\$23,561,500.00, \$21,969,300.00-\$25,487,500.00, \$23,561,500.00~~ for

14 operations and ~~\$1,592,200.00-\$1,926,000.00~~ for ~~tuition restraint~~

15 ~~incentive, PERFORMANCE FUNDING~~, appropriated from the following:

16 (i) State school aid fund, \$3,903,800.00.

17 (ii) State general fund/general purpose money,

18 ~~\$19,657,700.00-\$21,583,700.00~~.

19 (k) The appropriation for University of Michigan - Ann Arbor

20 is ~~\$268,803,300.00, \$254,931,800.00-\$273,056,700.00,~~

21 ~~\$268,803,300.00~~ for operations and ~~\$13,871,500.00-\$4,253,400.00~~ for

22 ~~tuition restraint incentive, PERFORMANCE FUNDING~~, appropriated from

23 the following:

24 (i) State school aid fund, \$44,536,300.00.

25 (ii) State general fund/general purpose money,

26 ~~\$224,267,000.00-\$228,520,400.00~~.

27 (l) The appropriation for University of Michigan - Dearborn is

1 ~~\$21,016,300.00, \$19,627,400.00~~ **\$21,898,800.00, \$21,016,300.00** for
 2 operations and ~~\$1,388,900.00~~ **\$882,500.00** for ~~tuition restraint~~
 3 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

4 (i) State school aid fund, \$3,482,100.00.

5 (ii) State general fund/general purpose money,
 6 ~~\$17,534,200.00~~ **\$18,416,700.00**.

7 (m) The appropriation for University of Michigan - Flint is
 8 ~~\$17,762,400.00, \$16,679,400.00~~ **\$19,103,500.00, \$17,762,400.00** for
 9 operations and ~~\$1,083,000.00~~ **\$1,341,100.00** for ~~tuition restraint~~
 10 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

11 (i) State school aid fund, \$2,942,900.00.

12 (ii) State general fund/general purpose money,
 13 ~~\$14,819,500.00~~ **\$16,160,600.00**.

14 (n) The appropriation for Wayne State University is
 15 ~~\$182,036,900.00, \$169,209,400.00~~ **\$183,229,100.00, \$182,036,900.00**
 16 for operations and ~~\$12,827,500.00~~ **\$1,192,200.00** for ~~tuition~~
 17 ~~restraint incentive,~~ **PERFORMANCE FUNDING**, appropriated from the
 18 following:

19 (i) State school aid fund, \$30,160,600.00.

20 (ii) State general fund/general purpose money,
 21 ~~\$151,876,300.00~~ **\$153,068,500.00**.

22 (o) The appropriation for Western Michigan University is
 23 ~~\$93,168,300.00, \$86,866,700.00~~ **\$95,318,300.00, \$93,168,300.00** for
 24 operations and ~~\$6,301,600.00~~ **\$2,150,000.00** for ~~tuition restraint~~
 25 ~~incentive,~~ **PERFORMANCE FUNDING**, appropriated from the following:

26 (i) State school aid fund, \$15,436,500.00.

27 (ii) State general fund/general purpose money,

1 ~~\$77,731,800.00~~-\$79,881,800.00.

2 (3) IN ADDITION TO THE AMOUNTS DESCRIBED IN SUBSECTION (2),
3 \$9,054,200.00 IN TUITION RESTRAINT FUNDING IS APPROPRIATED FOR
4 UNIVERSITY OPERATIONS FROM GENERAL FUND/GENERAL PURPOSE MONEY. THE
5 AMOUNT ALLOCATED TO EACH PUBLIC UNIVERSITY IS DETERMINED IN THE
6 MANNER PROVIDED IN SECTION 265.

7 (4) THE AMOUNT APPROPRIATED FOR MICHIGAN PUBLIC SCHOOL
8 EMPLOYEES' RETIREMENT SYSTEM REIMBURSEMENT IS \$446,200.00,
9 APPROPRIATED FROM THE STATE SCHOOL AID FUND.

10 (5) ~~(3)~~The amount appropriated for state and regional
11 programs is \$200,000.00, appropriated from general fund/general
12 purpose money and allocated as follows:

13 (a) Higher education database modernization and conversion,
14 \$105,000.00.

15 (b) Midwestern higher education compact, \$95,000.00.

16 (6) ~~(4)~~The amount appropriated for the Martin Luther King,
17 Jr. - Cesar Chavez - Rosa Parks program is \$2,691,500.00,
18 appropriated from general fund/general purpose money and allocated
19 as follows:

20 (a) Select student support services, \$1,956,100.00.

21 (b) Michigan college/university partnership program,
22 \$586,800.00.

23 (c) Morris Hood, Jr. educator development program,
24 \$148,600.00.

25 (7) ~~(5)~~Subject to subsection ~~(6)~~, ~~(8)~~, the amount
26 appropriated for grants and financial aid is ~~\$99,526,400.00~~,
27 \$98,226,400.00, allocated as follows:

1 (a) State competitive scholarships,
2 ~~\$19,861,700.00.~~ **\$18,361,700.00.**

3 (b) Tuition grants, \$31,664,700.00.

4 (c) Tuition incentive program, \$43,800,000.00.

5 ~~—— (d) Robert C. Byrd honors scholarship program, \$1,500,000.00.~~

6 **(D)** ~~(e)~~ Children of veterans and officer's survivor tuition
7 grant programs, \$1,200,000.00.

8 **(E)** ~~(f)~~ Project GEAR-UP, ~~\$1,500,000.00.~~ **\$3,200,000.00.**

9 **(8)** ~~(6)~~ The money appropriated in subsection ~~(5)~~ **(7)** for
10 grants and financial aid is appropriated from the following:

11 ~~—— (a) Federal revenues under subpart 4 of part A of title IV of~~
12 ~~the higher education act of 1965, Public Law 89-329, 79 Stat. 1232,~~
13 ~~\$1,500,000.00.~~

14 ~~—— (b) Federal revenues under subpart 6 of part A of title IV of~~
15 ~~the higher education act of 1965, Public Law 89-329, 79 Stat. 1232,~~
16 ~~\$1,500,000.00.~~

17 **(A)** ~~(e)~~ Federal revenues under the United States department of
18 education, office of elementary and secondary education, GEAR-UP
19 program, ~~\$1,500,000.00.~~ **\$3,200,000.00.**

20 **(B)** ~~(d)~~ Federal revenues under the social security act,
21 temporary assistance for needy families, \$93,826,400.00.

22 **(C)** ~~(e)~~ Contributions to children of veterans tuition grant
23 program, ~~\$200,000.00.~~ **\$100,000.00.**

24 **(D)** ~~(f)~~ State general fund/general purpose money,
25 ~~\$1,000,000.00.~~ **\$1,100,000.00.**

26 Sec. 236a. It is the intent of the legislature to provide
27 appropriations for the fiscal year ending on September 30, ~~2013~~

1 2014 for the items listed in section 236. The fiscal year ~~2012-2013~~
2 2013-2014 appropriations are anticipated to be the same as those
3 for fiscal year ~~2011-2012,~~ 2012-2013, except that the amounts will
4 be adjusted for changes in caseload and related costs, federal fund
5 match rates, economic factors, and available revenue. These
6 adjustments will be determined after the January ~~2012-2013~~
7 consensus revenue estimating conference.

8 **SEC. 236B. IN ADDITION TO THE FUNDS APPROPRIATED IN SECTION**
9 **236, THERE IS APPROPRIATED FOR GRANTS AND FINANCIAL AID IN FISCAL**
10 **YEAR 2012-2013 AN AMOUNT NOT TO EXCEED \$6,000,000.00 FOR FEDERAL**
11 **CONTINGENCY FUNDS. THESE FUNDS ARE NOT AVAILABLE FOR EXPENDITURE**
12 **UNTIL THEY HAVE BEEN TRANSFERRED UNDER SECTION 393(2) OF THE**
13 **MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1393, FOR ANOTHER**
14 **PURPOSE UNDER THIS ARTICLE.**

15 Sec. 237. ~~The~~ **ALL OF THE** appropriations authorized under this
16 article are subject to the management and budget act, 1984 PA 431,
17 MCL 18.1101 to 18.1594.

18 **SEC. 237B. AS USED IN THIS ARTICLE, THE TERM "WORKFORCE**
19 **DEVELOPMENT AGENCY" MEANS THE WORKFORCE DEVELOPMENT AGENCY OF THE**
20 **MICHIGAN STRATEGIC FUND.**

21 Sec. 238. Unless otherwise specified, **A** public ~~universities~~
22 **UNIVERSITY** receiving appropriations in section 236 shall use the
23 Internet to fulfill the reporting requirements of this article.
24 This requirement may include transmission of reports via electronic
25 mail to the recipients identified for each reporting requirement,
26 or it may include placement of reports on an Internet or Intranet
27 site.

1 Sec. 239. ~~Funds~~ **A PUBLIC UNIVERSITY SHALL NOT USE FUNDS**
2 appropriated in section 236 ~~shall not be used~~ for the purchase of
3 foreign goods or services, or both, if competitively priced and of
4 comparable quality American goods and services, or both, are
5 available. Preference shall be given to goods or services, or both,
6 manufactured or provided by Michigan businesses if they are
7 competitively priced and of comparable value. In addition,
8 preference shall be given to goods or services, or both, that are
9 manufactured or provided by Michigan businesses owned and operated
10 by veterans if they are competitively priced and of comparable
11 quality.

12 Sec. 239a. It is the intent of the legislature that ~~the~~ **PUBLIC**
13 **UNIVERSITIES SHALL NOT USE** funds appropriated in section 236 ~~to~~
14 ~~state institutions of higher education shall not be used to enter~~
15 into a lease or to purchase a vehicle assembled or manufactured
16 outside of the United States, and that preference be given to
17 vehicles assembled or manufactured in Michigan.

18 Sec. 241. (1) ~~The~~ **SUBJECT TO SECTION 265A, THE** funds
19 appropriated in section 236 to public universities shall be paid
20 out of the state treasury and distributed by the state treasurer to
21 the respective institutions in 11 equal monthly installments on the
22 sixteenth of each month, or the next succeeding business day,
23 beginning with October 16, ~~2011.~~ **2012.** Except for Wayne State
24 University, each institution shall accrue its July and August ~~2012~~
25 **2013** payments to its institutional fiscal year ending June 30,
26 ~~2012-2013.~~

27 (2) All public universities shall submit higher education

1 institutional data inventory (HEIDI) data and associated financial
2 and program information requested by and in a manner prescribed by
3 the state budget director. For public universities with fiscal
4 years ending June 30, ~~2011~~, **2012**, these data shall be submitted to
5 the state budget director by October 15, ~~2011~~. **2012**. Public
6 universities with a fiscal year ending September 30, ~~2011~~ **2012**
7 shall submit preliminary HEIDI data by November 15, ~~2011~~ **2012** and
8 final data by December 15, ~~2011~~. **2012**. If a public university fails
9 to submit HEIDI data and associated financial aid program
10 information in accordance with this reporting schedule, the state
11 treasurer shall withhold the monthly installments under subsection
12 (1) to the public university until those data are submitted.

13 Sec. 242. Funds received by the state from the federal
14 government or private sources for the use of a college or
15 university are appropriated for the purposes for which they are
16 provided. The acceptance and use of federal or private funds do not
17 place an obligation ~~upon~~ **ON** the legislature to continue the
18 purposes for which the funds are made available.

19 Sec. 243. ~~A~~ **EACH** public university that receives funds under
20 this article shall furnish all program and financial information
21 that is required by and in a manner prescribed by the state budget
22 director or the house or senate appropriations committee.

23 Sec. 244. A public university receiving funds in section 236
24 shall cooperate with all measures taken by the state to ~~establish a~~
25 **DEVELOP, OPERATE, AND MAINTAIN THE** statewide P-20 education
26 longitudinal data system ~~to comply with the state fiscal~~
27 ~~stabilization fund provisions of the American recovery and~~

1 ~~reinvestment act of 2009, Public Law 111-5~~. DESCRIBED IN SECTION
2 94A. IF THE STATE BUDGET DIRECTOR FINDS THAT A UNIVERSITY HAS NOT
3 COMPLIED WITH THIS SECTION, THE STATE BUDGET DIRECTOR IS AUTHORIZED
4 TO WITHHOLD THE MONTHLY INSTALLMENTS PROVIDED TO THAT UNIVERSITY
5 UNDER SECTION 236 UNTIL HE OR SHE FINDS THE UNIVERSITY HAS COMPLIED
6 WITH THIS SECTION.

7 Sec. 245. ~~From the funds appropriated in section 236, each~~
8 ~~public university shall develop, post, and maintain, on a user-~~
9 ~~friendly and publicly accessible Internet site, a comprehensive~~
10 ~~report categorizing all institutional general fund expenditures~~
11 ~~made by the university within a fiscal year. The report shall~~
12 ~~include institutional general fund expenditure amounts categorized~~
13 ~~both by each academic unit, administrative unit, or external~~
14 ~~initiative within the university and by major expenditure category,~~
15 ~~including faculty and staff salaries and fringe benefits, facility-~~
16 ~~related costs, supplies and equipment, contracts, and transfers to~~
17 ~~and from other university funds. The report shall also include a~~
18 ~~list of all employee positions funded partially or wholly through~~
19 ~~institutional general fund revenue that includes the position~~
20 ~~title, name, and annual salary or wage amount for each position.~~
21 ~~The university shall not provide financial information on its~~
22 ~~website under this section if doing so would violate a federal or~~
23 ~~state law, rule, regulation, or guideline that establishes privacy~~
24 ~~or security standards applicable to that financial information.~~

25 (1) WITHIN 30 DAYS AFTER THE BOARD OF A PUBLIC UNIVERSITY
26 ADOPTS ITS ANNUAL OPERATING BUDGET FOR THE FOLLOWING SCHOOL FISCAL
27 YEAR, OR AFTER THE BOARD ADOPTS A SUBSEQUENT REVISION TO THAT

1 BUDGET, THE PUBLIC UNIVERSITY SHALL MAKE ALL OF THE FOLLOWING
2 AVAILABLE THROUGH A LINK ON ITS WEBSITE HOMEPAGE IN A FORM AND
3 MANNER PRESCRIBED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND
4 BUDGET:

5 (A) THE ANNUAL OPERATING BUDGET AND SUBSEQUENT BUDGET
6 REVISIONS.

7 (B) A SUMMARY OF CURRENT EXPENDITURES FOR THE MOST RECENT
8 FISCAL YEAR FOR WHICH THEY ARE AVAILABLE, EXPRESSED AS PIE CHARTS
9 IN THE FOLLOWING 2 CATEGORIES:

10 (i) A CHART OF PERSONNEL EXPENDITURES, BROKEN INTO THE
11 FOLLOWING SUBCATEGORIES:

12 (A) EARNINGS AND WAGES.

13 (B) EMPLOYEE BENEFIT COSTS, INCLUDING, BUT NOT LIMITED TO,
14 MEDICAL, DENTAL, VISION, LIFE, DISABILITY, AND LONG-TERM CARE
15 BENEFITS.

16 (C) RETIREMENT BENEFIT COSTS.

17 (D) ALL OTHER PERSONNEL COSTS.

18 (ii) A CHART OF ALL CURRENT EXPENDITURES THE PUBLIC UNIVERSITY
19 REPORTED AS PART OF ITS HIGHER EDUCATION INSTITUTIONAL DATA
20 INVENTORY DATA UNDER SECTION 241(2), BROKEN INTO THE SAME
21 SUBCATEGORIES IN WHICH IT REPORTED THOSE DATA.

22 (C) LINKS TO ALL OF THE FOLLOWING FOR THE PUBLIC UNIVERSITY:

23 (i) THE CURRENT COLLECTIVE BARGAINING AGREEMENT FOR EACH
24 BARGAINING UNIT.

25 (ii) EACH HEALTH CARE BENEFITS PLAN, INCLUDING, BUT NOT LIMITED
26 TO, MEDICAL, DENTAL, VISION, DISABILITY, LONG-TERM CARE, OR ANY
27 OTHER TYPE OF BENEFITS THAT WOULD CONSTITUTE HEALTH CARE SERVICES,

1 OFFERED TO ANY BARGAINING UNIT OR EMPLOYEE OF THE PUBLIC
2 UNIVERSITY.

3 (iii) AUDITS AND FINANCIAL REPORTS FOR THE MOST RECENT FISCAL
4 YEAR FOR WHICH THEY ARE AVAILABLE.

5 (iv) CAMPUS SECURITY POLICIES AND CRIME STATISTICS PURSUANT TO
6 THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW 101-
7 542, 104 STAT. 2381. INFORMATION SHALL INCLUDE ALL MATERIAL
8 PREPARED PURSUANT TO THE PUBLIC INFORMATION REPORTING REQUIREMENTS
9 UNDER THE CRIME AWARENESS AND CAMPUS SECURITY ACT OF 1990, TITLE II
10 OF THE STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT, PUBLIC LAW
11 101-542, 104 STAT. 2381.

12 (D) A LIST OF ALL POSITIONS FUNDED PARTIALLY OR WHOLLY THROUGH
13 INSTITUTIONAL GENERAL FUND REVENUE THAT INCLUDES THE POSITION
14 TITLE, NAME, AND ANNUAL SALARY OR WAGE AMOUNT FOR EACH POSITION.

15 (2) A PUBLIC UNIVERSITY SHALL PROVIDE A DASHBOARD OR REPORT
16 CARD DEMONSTRATING THE UNIVERSITY'S PERFORMANCE IN SEVERAL "BEST
17 PRACTICE" MEASURES. THE DASHBOARD OR REPORT CARD SHALL INCLUDE AT
18 LEAST ALL OF THE FOLLOWING FOR THE 3 MOST RECENT SCHOOL YEARS FOR
19 WHICH THE DATA ARE AVAILABLE:

20 (A) ENROLLMENT.

21 (B) STUDENT RETENTION RATE.

22 (C) SIX-YEAR GRADUATION RATES.

23 (D) NUMBER OF PELL GRANT RECIPIENTS.

24 (E) GEOGRAPHIC ORIGINATION OF STUDENTS, CATEGORIZED AS IN-
25 STATE, OUT-OF-STATE, AND INTERNATIONAL.

26 (F) FACULTY TO STUDENT RATIOS AND TOTAL UNIVERSITY EMPLOYEE TO
27 STUDENT RATIOS.

1 (G) TEACHING LOAD BY FACULTY CLASSIFICATION.

2 (H) GRADUATION OUTCOME RATES, INCLUDING EMPLOYMENT AND
3 CONTINUING EDUCATION.

4 (3) FOR STATEWIDE CONSISTENCY AND PUBLIC VISIBILITY, PUBLIC
5 UNIVERSITIES MUST USE THE ICON BADGE PROVIDED BY THE DEPARTMENT OF
6 TECHNOLOGY, MANAGEMENT, AND BUDGET CONSISTENT WITH THE ICON BADGE
7 DEVELOPED BY THE DEPARTMENT OF EDUCATION FOR K-12 SCHOOL DISTRICTS.
8 IT MUST APPEAR ON THE FRONT OF EACH PUBLIC UNIVERSITY'S HOMEPAGE.
9 THE SIZE OF THE ICON MAY BE REDUCED TO 150 X 150 PIXELS. THE FONT
10 SIZE AND STYLE FOR THIS REPORTING MUST BE CONSISTENT WITH OTHER
11 DOCUMENTS ON EACH UNIVERSITY'S WEBSITE. TO BE IN COMPLIANCE WITH
12 THIS SECTION, ALL DATA ELEMENTS DEFINED IN THIS SECTION MUST BE
13 AVAILABLE ON THE UNIVERSITY'S HOMEPAGE, IN A FORM AND MANNER
14 PRESCRIBED BY THE DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET,
15 BY DECEMBER 31, 2012.

16 (4) THE STATE BUDGET DIRECTOR SHALL DETERMINE WHETHER A PUBLIC
17 UNIVERSITY HAS COMPLIED WITH THIS SECTION. THE STATE BUDGET
18 DIRECTOR MAY WITHHOLD A PUBLIC UNIVERSITY'S MONTHLY INSTALLMENTS
19 DESCRIBED IN SECTION 241 UNTIL THE PUBLIC UNIVERSITY COMPLIES WITH
20 THIS SECTION.

21 SEC. 246. (1) THE FUNDS APPROPRIATED IN SECTION 236(4) FOR
22 MICHIGAN PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM REIMBURSEMENT
23 SHALL BE ALLOCATED TO EACH PARTICIPATING PUBLIC UNIVERSITY UNDER
24 THIS SECTION BASED ON EACH PARTICIPATING PUBLIC UNIVERSITY'S TOTAL
25 RETIREE HEALTH CARE PREMIUMS PAID FOR MICHIGAN PUBLIC SCHOOL
26 EMPLOYEES' RETIREMENT SYSTEM RETIRANTS IN PROPORTION TO THE TOTAL
27 RETIREE HEALTH CARE PREMIUMS PAID FOR MICHIGAN PUBLIC SCHOOL

1 EMPLOYEES' RETIREMENT SYSTEM RETIRANTS FOR ALL PARTICIPATING PUBLIC
2 UNIVERSITIES FOR THE IMMEDIATELY PRECEDING STATE FISCAL YEAR.
3 PAYMENTS SHALL BE MADE IN A FORM AND MANNER DETERMINED BY THE
4 OFFICE OF RETIREMENT SERVICES. A PUBLIC UNIVERSITY THAT RECEIVES
5 MONEY UNDER THIS SECTION SHALL USE THAT MONEY SOLELY FOR THE
6 PURPOSE OF OFFSETTING A PORTION OF THE RETIREMENT CONTRIBUTIONS
7 OWED BY THE UNIVERSITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30,
8 2013.

9 (2) AS USED IN THIS SECTION, "PARTICIPATING PUBLIC UNIVERSITY"
10 MEANS A PUBLIC UNIVERSITY THAT IS A REPORTING UNIT OF THE MICHIGAN
11 PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM UNDER THE PUBLIC SCHOOL
12 EMPLOYEES RETIREMENT ACT OF 1979, 1980 PA 300, MCL 38.1301 TO
13 38.1408, AND THAT PAYS RETIREE HEALTH CARE PREMIUMS TO THE MICHIGAN
14 PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM FOR THE STATE FISCAL
15 YEAR.

16 Sec. 251. (1) Payments of the amounts included in section 236
17 for the state competitive scholarship program shall be distributed
18 pursuant to 1964 PA 208, MCL 390.971 to 390.981.

19 (2) Pursuant to section 6 of 1964 PA 208, MCL 390.976, the
20 department of treasury shall determine an actual maximum state
21 competitive scholarship award per student, which shall be ~~no~~ NOT
22 less than ~~\$600.00~~, \$575.00, that ensures that the aggregate
23 payments for the state competitive scholarship program do not
24 exceed the appropriation contained in section 236 for the state
25 competitive scholarship program. If the department determines that
26 insufficient funds are available to establish a maximum award
27 amount equal to at least ~~\$600.00~~, \$575.00, the department shall

1 immediately report to the house and senate appropriations
2 subcommittees on higher education, the house and senate fiscal
3 agencies, and the state budget director regarding the estimated
4 amount of additional funds necessary to establish a ~~\$600.00~~ **\$575.00**
5 maximum award amount.

6 (3) The department of treasury shall implement a proportional
7 competitive scholarship maximum award level for recipients enrolled
8 less than full-time in a given semester or term.

9 (4) If a student who receives an award under this section has
10 his or her tuition and fees paid under the Michigan educational
11 trust program, pursuant to the Michigan education trust act, 1986
12 PA 316, MCL 390.1421 to 390.1442, and still has financial need, the
13 funds awarded under this section may be used for educational
14 expenses other than tuition and fees.

15 (5) If the department of treasury increases the maximum award
16 per eligible student from that provided in the previous fiscal
17 year, it shall not have the effect of reducing the number of
18 eligible students receiving awards in relation to the total number
19 of eligible applicants. Any increase in the maximum grant shall be
20 proportional for all eligible students receiving awards.

21 (6) Veterans administration benefits shall not be considered
22 in determining eligibility for the award of scholarships under 1964
23 PA 208, MCL 390.971 to 390.981.

24 Sec. 252. (1) The amounts appropriated in section 236 for the
25 state tuition grant program shall be distributed pursuant to 1966
26 PA 313, MCL 390.991 to 390.997a.

27 (2) Tuition grant awards shall be made to all eligible

1 Michigan residents enrolled in undergraduate degree programs who
2 apply before July 1, ~~2011~~—2012 and who are qualified.

3 (3) Pursuant to section 5 of 1966 PA 313, MCL 390.995, and
4 subject to subsection (7), the department of treasury shall
5 determine an actual maximum tuition grant award per student, which
6 shall be no less than \$1,512.00, that ensures that the aggregate
7 payments for the tuition grant program do not exceed the
8 appropriation contained in section 236 for the state tuition grant
9 program. If the department determines that insufficient funds are
10 available to establish a maximum award amount equal to at least
11 \$1,512.00, the department shall immediately report to the house and
12 senate appropriations subcommittees on higher education, the house
13 and senate fiscal agencies, and the state budget director regarding
14 the estimated amount of additional funds necessary to establish a
15 \$1,512.00 maximum award amount. **IF THE DEPARTMENT DETERMINES THAT**
16 **SUFFICIENT FUNDS ARE AVAILABLE TO ESTABLISH A MAXIMUM AWARD AMOUNT**
17 **EQUAL TO AT LEAST \$1,512.00, THE DEPARTMENT SHALL IMMEDIATELY**
18 **REPORT TO THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON**
19 **HIGHER EDUCATION, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE**
20 **STATE BUDGET DIRECTOR REGARDING THE MAXIMUM AWARD AMOUNT**
21 **ESTABLISHED AND THE PROJECTED AMOUNT OF ANY PROJECTED YEAR-END**
22 **APPROPRIATION BALANCE BASED ON THAT MAXIMUM AWARD AMOUNT.** By
23 December 15, ~~2011~~—2012, and again by February ~~1~~,—2012,—18, 2013,
24 the department shall analyze the status of award commitments, shall
25 make any necessary adjustments, and shall confirm that those award
26 commitments will not exceed the appropriation contained in section
27 236 for the tuition grant program. The determination and actions

1 shall be reported to the state budget director and the house and
2 senate fiscal agencies no later than **FINAL DAY OF** February 15,
3 2012. ~~OF EACH YEAR.~~ If award adjustments are necessary, the
4 students shall be notified of the adjustment by ~~the third Monday in~~
5 ~~February.~~ **MARCH 4 OF EACH YEAR.**

6 (4) Any unexpended and unencumbered funds remaining on
7 September 30, 2012 from the amounts appropriated in section 236 for
8 the tuition grant program shall not lapse on September 30, 2012,
9 but shall continue to be available for expenditure for tuition
10 grants provided in the 2012-2013 fiscal year under a work project
11 account. The use of these unexpended fiscal year 2011-2012 funds
12 shall terminate at the end of the 2012-2013 fiscal year.

13 (5) The department of treasury shall continue a proportional
14 tuition grant maximum award level for recipients enrolled less than
15 full-time in a given semester or term.

16 (6) If the department of treasury increases the maximum award
17 per eligible student from that provided in the previous fiscal
18 year, it shall not have the effect of reducing the number of
19 eligible students receiving awards in relation to the total number
20 of eligible applicants. Any increase in the maximum grant shall be
21 proportional for all eligible students receiving awards for fiscal
22 year ~~2011-2012.~~ **2012-2013.**

23 (7) The department of treasury shall not award more than
24 \$3,000,000.00 in tuition grants to eligible students enrolled in
25 the same independent nonprofit college or university in this state.
26 Any decrease in the maximum grant shall be proportional for all
27 eligible students enrolled in that college or university, as

1 determined by the department.

2 Sec. 253. The auditor general may audit selected enrollments,
3 degrees, and awards at selected independent colleges and
4 universities receiving awards **THAT ARE** administered by the
5 department of treasury. The audits shall be based upon definitions
6 and requirements established by the department of treasury, the
7 state budget director, and the senate and house fiscal agencies.
8 The auditor general shall accept the Free Application for Federal
9 Student Aid (FAFSA) form as the standard of residency
10 documentation.

11 Sec. 254. The sums appropriated in section 236 for the state
12 competitive scholarship, tuition incentive, **AND** tuition grant ~~, and~~
13 ~~Robert C. Byrd honors scholarship~~ programs shall be paid out of the
14 state treasury and shall be distributed to the respective
15 institutions under a quarterly payment system as follows: 50% shall
16 be paid at the beginning of the state's first fiscal quarter, ~~and~~
17 ~~50% at the beginning of the state's second fiscal quarter. 30%~~
18 **DURING THE STATE'S SECOND FISCAL QUARTER, 10% DURING THE STATE'S**
19 **THIRD FISCAL QUARTER, AND 10% DURING THE STATE'S FOURTH FISCAL**
20 **QUARTER.**

21 Sec. 255. The department of treasury shall determine the needs
22 analysis criteria for students to qualify for the state competitive
23 scholarship program and tuition grant program. To be consistent
24 with federal requirements, **THE DEPARTMENT OF TREASURY MAY TAKE**
25 student wages ~~may be taken~~ into consideration when determining the
26 amount of the award.

27 Sec. 256. (1) The funds appropriated in section 236 for the

1 tuition incentive program shall be distributed as provided in this
2 section and pursuant to the administrative procedures for the
3 tuition incentive program of the department of treasury.

4 (2) As used in this section:

5 (a) "Phase I" means the first part of the tuition incentive
6 assistance program defined as the academic period of 80 semester or
7 120 term credits, or less, leading to an associate degree or
8 certificate.

9 (b) "Phase II" means the second part of the tuition incentive
10 assistance program which provides assistance in the third and
11 fourth year of 4-year degree programs.

12 (c) "Department" means the department of treasury.

13 (3) ~~A person~~ **AN INDIVIDUAL** shall meet the following basic
14 criteria and financial thresholds to be eligible for tuition
15 incentive benefits:

16 (a) To be eligible for phase I, ~~a person~~ **AN INDIVIDUAL** shall
17 meet all of the following criteria:

18 (i) Apply for certification to the department before graduating
19 from high school or completing the general education development
20 (GED) certificate.

21 (ii) Be less than 20 years of age at the time ~~of high school~~
22 ~~graduation or~~ **HE OR SHE GRADUATES FROM HIGH SCHOOL WITH A DIPLOMA**
23 **OR CERTIFICATE OF COMPLETION OR COMPLETES HIS OR HER GED.**
24 ~~completion.~~

25 (iii) Be a United States citizen and a resident of Michigan
26 according to institutional criteria.

27 (iv) Be at least a half-time student, earning less than 80

1 semester or 120 term credits at a participating educational
2 institution within 4 years of high school graduation or GED
3 certificate completion.

4 (v) Request information on filing a FAFSA.

5 (b) To be eligible for phase II, ~~a person~~ **AN INDIVIDUAL** shall
6 meet either of the following criteria in addition to the criteria
7 in subdivision (a):

8 (i) Complete at least 56 transferable semester or 84
9 transferable term credits.

10 (ii) Obtain an associate degree or certificate at a
11 participating institution.

12 (c) To be eligible for phase I or phase II, ~~a person~~ **AN**
13 **INDIVIDUAL** must not be incarcerated and must be financially
14 eligible as determined by the department. ~~A person~~ **AN INDIVIDUAL** is
15 financially eligible for the tuition incentive program if ~~that~~
16 ~~person~~ **HE OR SHE** was Medicaid-eligible **FOR MEDICAID FROM THE STATE**
17 **OF MICHIGAN** for 24 months within the 36 months before application.
18 **THE DEPARTMENT SHALL ACCEPT CERTIFICATION OF MEDICAID ELIGIBILITY**
19 **ONLY FROM THE DEPARTMENT OF HUMAN SERVICES FOR THE PURPOSES OF**
20 **VERIFYING IF A PERSON IS MEDICAID ELIGIBLE FOR 24 MONTHS WITHIN THE**
21 **36 MONTHS BEFORE APPLICATION.** Certification of eligibility may
22 begin in the sixth grade. **AS USED IN THIS SUBDIVISION,**
23 **"INCARCERATED" DOES NOT INCLUDE DETENTION OF A JUVENILE IN A STATE-**
24 **OPERATED OR PRIVATELY OPERATED JUVENILE DETENTION FACILITY.**

25 (4) For phase I, the department shall provide payment on
26 behalf of a person eligible under subsection (3). The department
27 shall reject billings that are excessive or outside the guidelines

1 for the type of educational institution.

2 (5) For phase I, all of the following apply:

3 (a) Payments for associate degree or certificate programs
4 shall not be made for more than 80 semester or 120 term credits for
5 any individual student at any participating institution.

6 (b) For persons enrolled at a Michigan community college, the
7 department shall pay the current in-district tuition and mandatory
8 fees. For persons residing in an area that is not included in any
9 community college district, the out-of-district tuition rate may be
10 authorized.

11 (c) For persons enrolled at a Michigan public university, the
12 department shall pay lower division resident tuition and mandatory
13 fees for the current year.

14 (d) For persons enrolled at a Michigan independent, nonprofit
15 degree-granting college or university, or a Michigan federal
16 tribally controlled community college, or Focus: HOPE, the
17 department shall pay mandatory fees for the current year and a per-
18 credit payment that does not exceed the average community college
19 in-district per-credit tuition rate as reported on August 1, for
20 the immediately preceding academic year.

21 (6) A person participating in phase II may be eligible for
22 additional funds not to exceed \$500.00 per semester or \$400.00 per
23 term up to a maximum of \$2,000.00 subject to the following
24 conditions:

25 (a) Credits are earned in a 4-year program at a Michigan
26 degree-granting 4-year college or university.

27 (b) The tuition reimbursement is for coursework completed

1 within 30 months of completion of the phase I requirements.

2 (7) The department shall work closely with participating
3 institutions to develop an application and eligibility
4 determination process that will provide the highest level of
5 participation and ensure that all requirements of the program are
6 met.

7 (8) Applications for the tuition incentive program may be
8 approved at any time after the student begins the sixth grade. If a
9 determination of financial eligibility is made, that determination
10 is valid as long as the student meets all other program
11 requirements and conditions.

12 (9) Each institution shall ensure that all known available
13 restricted grants for tuition and fees are used prior to billing
14 the tuition incentive program for any portion of a student's
15 tuition and fees.

16 (10) The department shall ensure that the tuition incentive
17 program is well publicized and that eligible Medicaid clients are
18 provided information on the program. The department shall provide
19 the necessary funding and staff to fully operate the program.

20 Sec. 257. To enable the legislature and the state budget
21 director to evaluate the appropriation needs of higher education,
22 each independent college and university shall make available to the
23 legislature or state budget director, upon request, data regarding
24 grants for the preceding, current, and ~~ensuing~~**FUTURE** fiscal years.

25 Sec. 258. By February 15 of each year, the department of
26 treasury shall submit a report to the state budget director, the
27 house and senate appropriations subcommittees on higher education,

1 and the house and senate fiscal agencies for the preceding fiscal
2 year on all student financial aid programs for which funds are
3 appropriated in section 236. For each student financial aid
4 program, the report shall include, but is not limited to, the total
5 number of awards paid in the preceding fiscal year, the total
6 dollar amount of those awards, and the number of students receiving
7 awards and the total amount of those awards at each eligible
8 postsecondary institution. To the extent information is available,
9 the report shall also include information on ~~the average exam~~
10 ~~performance,~~ household income, and other demographic
11 characteristics of students receiving awards under each program and
12 historical information on the number of awards and total award
13 amounts for each program.

14 Sec. 261. The University of Michigan biological station at
15 Douglas Lake in Cheboygan County is ~~regarded as~~ **CONSIDERED** a unique
16 resource and is designated as a special research reserve. It is the
17 intent of the legislature to protect and preserve the unique long-
18 term research value and capabilities of the biological station area
19 and Douglas Lake. The legislature further intends that no state
20 programs or policies be developed that would have a deleterious
21 impact on the research value of Douglas Lake.

22 Sec. 263. (1) Included in the appropriation in section 236 for
23 ~~agricultural experiment and cooperative extension~~ **MSU AGBIORESEARCH**
24 **AND MSU EXTENSION** activities is \$5,628,100.00 for project GREEN.
25 Project GREEN is intended to address critical regulatory, food
26 safety, economic, and environmental problems faced by this state's
27 plant-based agriculture, forestry, and processing industries.

1 "GREEN" is an acronym for generating research and extension to
2 meet environmental and economic needs.

3 (2) The department of agriculture and rural development and
4 Michigan State University, in consultation with agricultural
5 commodity groups and other interested parties, shall develop
6 project GREEN and its program priorities.

7 ~~—— (3) By September 30, 2012, Michigan State University shall~~
8 ~~submit a report to the house and senate appropriations~~
9 ~~subcommittees on agriculture and on higher education, the house and~~
10 ~~senate standing committees on agriculture, the house and senate~~
11 ~~fiscal agencies, and the state budget director for the preceding~~
12 ~~school fiscal year regarding expenditures and programmatic outcomes~~
13 ~~of the agricultural experiment station and cooperative extension~~
14 ~~service. The report shall include, but is not limited to:~~

15 ~~—— (a) Total funds expended by the agricultural experiment~~
16 ~~station and cooperative extension service identified by state,~~
17 ~~local, private, federal, and university fund sources.~~

18 ~~—— (b) The dollar amount of each project GREEN project and a~~
19 ~~review of each project's performance and accomplishments.~~

20 ~~—— (c) The dollar amount of each bioeconomy research and~~
21 ~~development project and a review of each project's performance and~~
22 ~~accomplishments.~~

23 ~~—— (d) The dollar amount and description of all other individual~~
24 ~~programs and services provided by the agricultural experiment~~
25 ~~station and cooperative extension service and a review of each~~
26 ~~project's performance and accomplishments.~~

27 ~~—— (e) The number of businesses created or that had increased~~

1 ~~employment and the number of patents generated as a result of work~~
2 ~~conducted by the agricultural experiment station and cooperative~~
3 ~~extension service.~~

4 Sec. 263a. (1) ~~Annually, in partnership with stakeholders of~~
5 ~~the agricultural experiment station and cooperative extension~~
6 ~~service, Michigan State University shall develop a set of research~~
7 ~~and extension priorities. As a part of this effort, Michigan State~~
8 ~~University and the department of agriculture and rural development,~~
9 ~~in partnership with the agriculture industry, shall convene a~~
10 ~~summit to set priorities for research and extension regarding~~
11 ~~production agriculture.~~ **BY JANUARY 1, 2013, THE MICHIGAN STATE**
12 **UNIVERSITY COLLEGE OF AGRICULTURE AND NATURAL RESOURCES, MSU**
13 **EXTENSION, AND MSU AGBIORESEARCH, IN PARTNERSHIP WITH THE**
14 **DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT AND OTHER**
15 **STAKEHOLDERS, SHALL ESTABLISH A STRATEGIC GROWTH INITIATIVE FOR THE**
16 **MICHIGAN FOOD AND AGRICULTURE INDUSTRY. THIS INITIATIVE SHALL**
17 **ADDRESS THE FOLLOWING GOALS AS ESTABLISHED AT THE 2011 GOVERNOR'S**
18 **SUMMIT FOR PRODUCTION AGRICULTURE:**

19 **(A) INCREASING THE SECTOR'S TOTAL ECONOMIC IMPACT FROM TODAY'S**
20 **\$71,000,000,000.00 TO \$100,000,000,000.00.**

21 **(B) DOUBLING MICHIGAN'S AGRICULTURAL EXPORTS FROM**
22 **\$1,750,000,000.00 TO \$3,500,000,000.00.**

23 **(C) INCREASING JOBS IN THE FOOD AND AGRICULTURE SECTOR BY 10%.**

24 **(D) IMPROVING ACCESS BY MICHIGAN CONSUMERS TO HEALTHY FOODS BY**
25 **20%.**

26 **(2) THE INITIATIVE DESCRIBED IN SUBSECTION (1) SHALL BE**
27 **PATTERNED AFTER PROJECT GREENE, SHALL EMPHASIZE PRIORITIES AS SET**

1 BY THE MICHIGAN FOOD AND AGRICULTURAL INDUSTRY, AND SHALL INCLUDE A
2 COMMITMENT TO CONTINUOUS COMMUNICATION, INPUT, AND INTERACTION
3 AMONG STAKEHOLDERS IN GOVERNMENT AND INDUSTRY AND AT MICHIGAN STATE
4 UNIVERSITY. SIMILAR TO PROJECT GREEN, THE INITIATIVE SHALL ALSO
5 INCLUDE A COMMITMENT TO COMMUNICATING RESULTS AND IMPACTS TO
6 STAKEHOLDERS AND THE LEGISLATURE BASED ON A MUTUALLY ESTABLISHED
7 SET OF METRICS DESIGNED TO ASSURE MSU EXTENSION AND AGBIORESEARCH
8 PROGRAMS ARE CONTRIBUTING TO THE GOALS DESCRIBED IN SUBSECTION
9 (1) (A) TO (D).

10 (3) ~~(2)~~ Not later than September 30, ~~2012,~~ 2013, Michigan
11 State University shall submit a report to the house and senate
12 appropriations subcommittees on agriculture and on higher
13 education, the house and senate standing committees on agriculture,
14 the house and senate fiscal agencies, and the state budget director
15 for the preceding school fiscal year detailing, but not limited to:

16 (a) Total funds expended by ~~the agricultural experiment~~
17 ~~station~~ MSU AGBIORESEARCH and by ~~the cooperative~~ MSU extension
18 service identified by state, local, private, federal, and
19 university fund sources.

20 (B) THE METRIC GOALS THAT WERE USED TO EVALUATE THE IMPACTS OF
21 PROGRAMS OPERATED BY MSU EXTENSION AND MSU AGBIORESEARCH. IT IS THE
22 INTENT OF THE LEGISLATURE THAT THE FOLLOWING METRIC GOALS WILL BE
23 USED TO EVALUATE THE IMPACTS OF THOSE PROGRAMS:

24 (i) INCREASING THE NUMBER OF AGRICULTURE AND FOOD-RELATED FIRMS
25 COLLABORATING WITH AND USING SERVICES OF RESEARCH AND EXTENSION
26 FACULTY AND STAFF BY 3% PER YEAR.

27 (ii) INCREASING THE NUMBER OF INDIVIDUALS UTILIZING MSU

1 EXTENSION'S EDUCATIONAL SERVICES BY 5% PER YEAR.

2 (iii) INCREASING EXTERNAL FUNDS GENERATED IN SUPPORT OF RESEARCH
3 AND EXTENSION, BEYOND STATE APPROPRIATIONS, BY 10% OVER THE AMOUNTS
4 GENERATED IN THE PAST 3 STATE FISCAL YEARS.

5 (C) ~~(b)~~—A review of major programs within both the
6 agricultural experiment station and the cooperative extension
7 service with specific reference to accomplishments and impacts. MSU
8 AGBIORESEARCH AND MSU EXTENSION WITH SPECIFIC REFERENCE TO
9 ACCOMPLISHMENTS, IMPACTS, AND THE METRICS DESCRIBED IN SUBDIVISION
10 (B), INCLUDING A SPECIFIC ACCOUNTING OF PROJECT GREEN EXPENDITURES
11 AND THE IMPACT OF THOSE EXPENDITURES.

12 Sec. 264. Included in the appropriation in section 236 for
13 Michigan State University is \$80,000.00 for the Michigan future
14 farmers of America association. This \$80,000.00 ~~appropriation~~
15 **ALLOCATION** shall not supplant any existing support that Michigan
16 State University provides to the Michigan future farmers of America
17 association.

18 Sec. 265. (1) ~~The amounts~~ **PAYMENTS FROM THE AMOUNT**
19 appropriated in section ~~236~~ **236 (3)** for public university tuition
20 restraint incentives shall only be paid ~~paid~~ **MADE** to a public university
21 that certifies to the state budget director by August 31, ~~2011~~ **2012**
22 that its board did not adopt an increase in tuition and fee rates
23 for resident undergraduate students after ~~February~~ **SEPTEMBER 1,**
24 2011 for the ~~2010-2011~~ **2011-2012** academic year and that its board
25 will not adopt an increase in tuition and fee rates for resident
26 undergraduate students for the ~~2011-2012~~ **2012-2013** academic year
27 that is greater than the ~~calculated average of annual statewide~~

1 ~~changes in tuition and fee rates for academic years 2006-2007~~
2 ~~through 2010-2011, as determined by the state budget director.~~
3 **4.0%. As used in this subsection AND SUBSECTION (2):**

4 (a) ~~"Fee"~~**SUBJECT TO SUBDIVISION (C), "FEE"** means any board-
5 authorized fee that will be paid by more than 1/2 of all resident
6 undergraduate students at least once during their enrollment at a
7 public university. A university increasing a fee that applies to a
8 specific subset of students or courses shall provide sufficient
9 information to prove that the increase applied to that subset will
10 not cause the increase in the average amount of board-authorized
11 total tuition and fees paid by resident undergraduate students in
12 the ~~2011-2012-2012-2013~~ academic year to exceed the limit
13 established in this subsection.

14 (b) "Tuition and fee rate" means the average of **FULL-TIME**
15 rates for all undergraduate classes, based on ~~the highest board-~~
16 ~~authorized rate for any semester during the academic year. AN~~
17 **AVERAGE OF THE RATES AUTHORIZED BY THE UNIVERSITY BOARD AND**
18 **ACTUALLY CHARGED TO STUDENTS, DEDUCTING ANY UNIFORMLY-REBATED OR**
19 **REFUNDED AMOUNTS, FOR THE 2 SEMESTERS WITH THE HIGHEST LEVELS OF**
20 **FULL-TIME EQUATED RESIDENT UNDERGRADUATE ENROLLMENT DURING THE**
21 **ACADEMIC YEAR.**

22 (C) **FOR PURPOSES OF SUBDIVISION (A), FOR A PUBLIC UNIVERSITY**
23 **THAT COMPELS RESIDENT UNDERGRADUATE STUDENTS TO BE COVERED BY**
24 **HEALTH INSURANCE AS A CONDITION TO ENROLL AT THE UNIVERSITY, "FEE"**
25 **INCLUDES THE ANNUAL AMOUNT A STUDENT IS CHARGED FOR COVERAGE BY THE**
26 **UNIVERSITY-AFFILIATED GROUP HEALTH INSURANCE POLICY IF HE OR SHE**
27 **DOES NOT PROVIDE PROOF THAT HE OR SHE IS OTHERWISE COVERED BY**

1 HEALTH INSURANCE. THIS SUBDIVISION DOES NOT APPLY TO LIMITED
2 SUBSETS OF RESIDENT UNDERGRADUATE STUDENTS TO BE COVERED BY HEALTH
3 INSURANCE FOR SPECIFIC REASONS OTHER THAN GENERAL ENROLLMENT AT THE
4 UNIVERSITY.

5 (2) FOR PURPOSES OF SECTION 236(3), EACH PUBLIC UNIVERSITY'S
6 ALLOCATION FOR TUITION RESTRAINT INCENTIVE SHALL BE DETERMINED AS
7 FOLLOWS:

8 (A) CALCULATE AN ADJUSTMENT FOR EACH UNIVERSITY BY SUBTRACTING
9 EACH UNIVERSITY'S REPORTED PERCENT CHANGE IN TUITION AND FEE RATES
10 FOR ACADEMIC YEAR 2012-2013 FROM 4.1%. IF THE RESULT OF THE
11 CALCULATION IN THIS SUBDIVISION IS LESS THAN 0.1%, THE UNIVERSITY
12 IS NOT QUALIFIED TO RECEIVE AN ALLOCATION UNDER THIS SECTION. ALL
13 CALCULATIONS UNDER THIS SUBDIVISION SHALL BE ROUNDED TO THE FIRST
14 DECIMAL PLACE.

15 (B) FOR EACH QUALIFIED UNIVERSITY, DIVIDE THE UNIVERSITY'S
16 ADJUSTMENT AS CALCULATED UNDER SUBDIVISION (A) BY THE SUM OF ALL
17 ADJUSTMENTS FOR QUALIFYING UNIVERSITIES UNDER SUBDIVISION (A) AND
18 THEN MULTIPLY THE RESULTING CALCULATION FOR EACH UNIVERSITY BY THE
19 TOTAL AMOUNT AVAILABLE FOR TUITION RESTRAINT INCENTIVE FUNDING,
20 ROUNDED TO THE NEAREST HUNDRED DOLLARS.

21 (3) ~~(2)~~—The state budget director shall implement uniform
22 reporting requirements to ensure that a public university receiving
23 an appropriation under section ~~236~~—236(3) has satisfied the tuition
24 restraint requirements of this section. The state budget director
25 shall have the sole authority to determine if a public university
26 has met the requirements of this section. Information reported by a
27 public university to the state budget director under this

1 subsection shall also be reported to the house and senate
2 appropriations subcommittees on higher education and the house and
3 senate fiscal agencies.

4 (4) ~~(3)~~ In conjunction with the uniform reporting requirements
5 established under subsection ~~(2)~~, ~~(3)~~, each public university shall
6 also report the following information to the house and senate
7 appropriations subcommittees on higher education, the house and
8 senate fiscal agencies, and the state budget director by August 31,
9 ~~2011-2012~~:

10 (a) Actual OR ESTIMATED fiscal year ~~2010-2011-2011-2012~~ and
11 budgeted fiscal year ~~2011-2012-2012-2013~~ total general fund tuition
12 and fee revenue.

13 (b) Actual OR ESTIMATED fiscal year ~~2010-2011-2011-2012~~ and
14 budgeted fiscal year ~~2011-2012-2012-2013~~ total general fund
15 revenue.

16 (c) Actual OR ESTIMATED fiscal year ~~2010-2011-2011-2012~~ and
17 budgeted fiscal year ~~2011-2012-2012-2013~~ general fund expenditures
18 for student financial aid.

19 (d) Actual OR ESTIMATED fiscal year ~~2010-2011-2011-2012~~ and
20 budgeted fiscal year ~~2011-2012-2012-2013~~ total general fund
21 expenditures.

22 (e) Actual OR ESTIMATED fiscal year ~~2010-2011-2011-2012~~ and
23 budgeted fiscal year ~~2011-2012-2012-2013~~ total fiscal year equated
24 student enrollment.

25 **SEC. 265A. (1) APPROPRIATIONS TO PUBLIC UNIVERSITIES IN**
26 **SECTION 236 FOR PERFORMANCE FUNDING SHALL BE PAID ONLY TO A PUBLIC**
27 **UNIVERSITY THAT COMPLIES WITH ALL OF THE FOLLOWING REQUIREMENTS:**

1 (A) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE
2 HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION,
3 AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012, THAT,
4 BY JANUARY 3, 2013, IT WILL BE PARTICIPATING IN REVERSE TRANSFER
5 AGREEMENTS DESCRIBED IN SECTION 286 WITH AT LEAST 3 MICHIGAN
6 COMMUNITY COLLEGES OR HAVE MADE A GOOD-FAITH EFFORT TO ENTER INTO
7 REVERSE TRANSFER AGREEMENTS.

8 (B) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE
9 HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION,
10 AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012, THAT,
11 BY JANUARY 3, 2013, IT WILL NOT CONSIDER WHETHER DUAL ENROLLMENT
12 CREDITS EARNED BY AN INCOMING STUDENT WERE UTILIZED TOWARDS HIS OR
13 HER HIGH SCHOOL GRADUATION REQUIREMENTS WHEN MAKING A DETERMINATION
14 AS TO WHETHER THOSE CREDITS MAY BE USED BY THE STUDENT TOWARD
15 COMPLETION OF A UNIVERSITY DEGREE OR CERTIFICATE PROGRAM.

16 (C) THE UNIVERSITY CERTIFIES TO THE STATE BUDGET DIRECTOR, THE
17 HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION,
18 AND THE HOUSE AND SENATE FISCAL AGENCIES BY AUGUST 31, 2012 THAT
19 THE UNIVERSITY PARTICIPATES IN THE MICHIGAN TRANSFER NETWORK
20 CREATED AS PART OF THE MICHIGAN ASSOCIATION OF COLLEGIATE
21 REGISTRARS AND ADMISSIONS OFFICERS TRANSFER AGREEMENT.

22 (2) ANY PERFORMANCE FUNDING AMOUNTS UNDER SECTION 236 THAT ARE
23 NOT PAID TO A PUBLIC UNIVERSITY BECAUSE IT DID NOT COMPLY WITH 1 OR
24 MORE REQUIREMENTS UNDER SUBSECTION (1) ARE UNAPPROPRIATED AND
25 REAPPROPRIATED FOR TUITION RESTRAINT FUNDING DESCRIBED IN SECTION
26 265.

27 (3) THE STATE BUDGET DIRECTOR SHALL REPORT TO THE HOUSE AND

1 SENATE APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION AND THE
2 HOUSE AND SENATE FISCAL AGENCIES BY SEPTEMBER 17, 2012, REGARDING
3 ANY PERFORMANCE FUNDING AMOUNTS NOT PAID TO A PUBLIC UNIVERSITY
4 BECAUSE IT DID NOT COMPLY WITH 1 OR MORE REQUIREMENTS UNDER
5 SUBSECTION (1) AND ANY REAPPROPRIATION OF FUNDS UNDER SUBSECTION
6 (2).

7 (4) A UNIVERSITY THAT HAS NOT IMPLEMENTED THE POLICIES
8 REQUIRED UNDER SUBSECTION (1) (A) AND (B) BY AUGUST 31, 2012, BUT
9 CERTIFIES THAT IT WILL IMPLEMENT THOSE POLICIES BY JANUARY 3, 2013,
10 SHALL RECERTIFY TO THE STATE BUDGET DIRECTOR, THE HOUSE AND SENATE
11 APPROPRIATIONS SUBCOMMITTEES ON HIGHER EDUCATION, AND THE HOUSE AND
12 SENATE FISCAL AGENCIES BY JANUARY 3, 2013, THAT THE POLICIES HAVE
13 BEEN FULLY IMPLEMENTED. FOR A UNIVERSITY THAT DOES NOT RECERTIFY
14 THAT THE POLICIES HAVE BEEN FULLY IMPLEMENTED, THE PERFORMANCE
15 FUNDING APPROPRIATED TO THAT UNIVERSITY IN SECTION 236 SHALL BE
16 RETROACTIVELY WITHHELD AND UNAPPROPRIATED AND REAPPROPRIATED UNDER
17 SUBSECTION (2).

18 Sec. 267. All public universities shall submit the amount of
19 tuition and fees actually charged to a full-time resident
20 undergraduate student for academic year ~~2011-2012-2012-2013~~ as part
21 of their higher education institutional data inventory (HEIDI) data
22 by August 31 ~~2011~~. **OF EACH YEAR.** A public university shall report
23 any revisions for any semester of the reported academic year ~~2011-~~
24 ~~2012-2012-2013~~ tuition and fee charges to HEIDI within 15 days of
25 being adopted.

26 Sec. 268. For the fiscal year ending September 30, ~~2012~~, **2013**,
27 it is the intent of the legislature that funds be allocated for

1 unfunded North American Indian tuition waiver costs incurred by
2 public universities under 1976 PA 174, MCL 390.1251 to 390.1253,
3 from the general fund.

4 Sec. 269. ~~From~~ **FOR FISCAL YEAR 2012-2013, FROM** the amount
5 appropriated in section 236 to Central Michigan University for
6 operations, \$29,700.00 shall be paid to Saginaw Chippewa Tribal
7 College for the costs of waiving tuition for North American Indians
8 under 1976 PA 174, MCL 390.1251 to 390.1253.

9 Sec. 270. ~~From~~ **FOR FISCAL YEAR 2012-2013, FROM** the amount
10 appropriated in section 236 to Lake Superior State University for
11 operations, \$100,000.00 shall be paid to Bay Mills Community
12 College for the costs of waiving tuition for North American Indians
13 under 1976 PA 174, MCL 390.1251 to 390.1253.

14 Sec. 273. It is the intent of the legislature that each public
15 university shall submit a report to the house and senate
16 appropriations committees, the house and senate fiscal agencies,
17 and the state budget director by October 15, ~~2011,~~ **2012**, on the
18 university's efforts to accommodate the sincerely held religious
19 beliefs of students enrolled in accredited counseling degree
20 programs at the university.

21 **SEC. 273A. (1) IT IS THE INTENT OF THE LEGISLATURE THAT A**
22 **PUBLIC UNIVERSITY THAT RECEIVES FUNDS IN SECTION 236 SHALL NOT**
23 **KNOWINGLY AND DIRECTLY USE ANY PORTION OF THOSE FUNDS TO BENEFIT A**
24 **NONPROFIT WORKER TRAINING CENTER WHOSE DOCUMENTED ACTIVITIES**
25 **INCLUDE COERCION THROUGH PROTEST, DEMONSTRATION, OR ORGANIZATION**
26 **AGAINST A MICHIGAN BUSINESS.**

27 **(2) THIS SECTION DOES NOT LIMIT THE RIGHT OF A NONPROFIT**

1 WORKER TRAINING CENTER AND THE STUDENTS OR FACULTY OF A PUBLIC
2 UNIVERSITY TO COMMUNICATE OR TO PEACEABLY ASSEMBLE.

3 Sec. 274. ~~It is the intent of the legislature that each public~~
4 ~~university that has received a donation of human embryos that is~~
5 ~~subject to section 27 of article I of the state constitution of~~
6 ~~1963, or that is conducting ongoing research using human embryonic~~
7 ~~stem cells derived from donated human embryos pursuant to section~~
8 ~~27 of article I of the state constitution of 1963, shall submit a~~
9 ~~report to the director of the department of community health by~~
10 ~~December 1, 2011 that includes all of the following:~~

11 ~~—— (a) The number of human embryos and the number of human embryo~~
12 ~~stem cell lines received by the university during fiscal year 2010-~~
13 ~~2011.~~

14 ~~—— (b) The number of human embryos utilized for research purposes~~
15 ~~during fiscal year 2010-2011.~~

16 ~~—— (c) The number of human embryo stem cell lines created from~~
17 ~~the embryos received during fiscal year 2010-2011.~~

18 ~~—— (d) The number of donated human embryos being held in storage~~
19 ~~by the university as of September 30, 2011.~~

20 ~~—— (e) The number of research projects using human embryonic stem~~
21 ~~cells derived from donated embryos being conducted by the~~

22 ~~university.~~ IT IS THE INTENT OF THE LEGISLATURE THAT PUBLIC AND
23 PRIVATE ORGANIZATIONS THAT CONDUCT HUMAN EMBRYONIC STEM CELL
24 DERIVATION SUBJECT TO SECTION 27 OF ARTICLE I OF THE STATE
25 CONSTITUTION OF 1963 WILL PROVIDE INFORMATION TO THE DIRECTOR OF
26 THE DEPARTMENT OF COMMUNITY HEALTH BY DECEMBER 1, 2012 THAT
27 INCLUDES ALL OF THE FOLLOWING:

1 (A) DOCUMENTATION THAT THE ORGANIZATION CONDUCTING HUMAN
2 EMBRYONIC STEM CELL DERIVATION IS CONDUCTING ITS ACTIVITIES IN
3 COMPLIANCE WITH THE REQUIREMENTS OF SECTION 27 OF ARTICLE I OF THE
4 STATE CONSTITUTION OF 1963 AND ALL RELEVANT NATIONAL INSTITUTES OF
5 HEALTH GUIDELINES PERTAINING TO EMBRYONIC STEM CELL DERIVATION.

6 (B) A LIST OF ALL HUMAN EMBRYONIC STEM CELL LINES SUBMITTED BY
7 THE ORGANIZATION TO THE NATIONAL INSTITUTES OF HEALTH FOR INCLUSION
8 IN THE HUMAN EMBRYONIC STEM CELL REGISTRY BEFORE AND DURING FISCAL
9 YEAR 2011-2012, AND THE STATUS OF EACH SUBMISSION AS APPROVED,
10 PENDING APPROVAL, OR REVIEW COMPLETED BUT NOT YET ACCEPTED.

11 (C) NUMBER OF HUMAN EMBRYONIC STEM CELL LINES DERIVED AND NOT
12 SUBMITTED FOR INCLUSION IN THE HUMAN EMBRYONIC STEM CELL REGISTRY,
13 BEFORE AND DURING FISCAL YEAR 2011-2012.

14 Sec. 274a. (1) It is the intent of the legislature that a
15 public university ~~receiving~~**THAT RECEIVES** funds in section 236 not
16 provide health insurance or other fringe benefits for any adult
17 coresident of an employee of the university who is not married to
18 or a dependent of that employee or for any dependent of such an
19 adult coresident.

20 (2) It is the intent of the legislature that each public
21 university receiving funds in section 236 submit a report by
22 December 1, ~~2011-2012~~ to the house and senate appropriations
23 subcommittees on higher education, the house and senate fiscal
24 agencies, and the state budget director containing the number of
25 individuals described in subsection (1) who received health
26 insurance or other fringe benefits provided by the university in
27 fiscal year ~~2010-2011~~**2011-2012** and the cost to the university of

1 providing those benefits.

2 Sec. 275. (1) It is the intent of the legislature that each
3 public university receiving an appropriation in section 236 do all
4 of the following:

5 (a) Meet the provisions of section 5003 of the post-911
6 veterans educational assistance act of 2008, ~~title V of Public Law~~
7 ~~110-252,~~ 38 USC 3301 to 3324, including voluntary participation in
8 the yellow ribbon GI education enhancement program established in
9 that act in 38 USC 3317. By October 1 of each year, each public
10 university shall report to the house and senate appropriations
11 subcommittees on higher education, the house and senate fiscal
12 agencies, and the presidents council, state universities of
13 Michigan on whether or not it has chosen to participate in the
14 yellow ribbon GI education enhancement program. If at any time
15 during the fiscal year a university participating in the yellow
16 ribbon program chooses to leave the yellow ribbon program, it shall
17 notify the house and senate appropriations subcommittees on higher
18 education, the house and senate fiscal agencies, and the presidents
19 council, state universities of Michigan.

20 (b) Establish an on-campus veterans' liaison to provide
21 information and assistance to all student veterans.

22 (c) Provide flexible enrollment application deadlines for all
23 veterans.

24 (d) Include in its admission application process a specific
25 question as to whether an applicant for admission is a veteran, an
26 active member of the military, a member of the national guard or
27 military reserves, or the spouse or dependent of a veteran, active

1 member of the military, or member of the national guard or military
2 reserves, in order to more quickly identify potential educational
3 assistance available to that applicant.

4 (2) As used in this section, "veteran" means an honorably
5 discharged veteran entitled to educational assistance under the
6 provisions of section 5003 of the post-911 veterans educational
7 assistance act of 2008, ~~title V of Public Law 110-252,~~ 38 USC 3301
8 to 3324.

9 Sec. 275a. Funds appropriated in section 236 shall not be used
10 **BY A PUBLIC UNIVERSITY** to pay for the construction or maintenance
11 of a self-liquidating project. A public university shall comply
12 with the current use and finance requirements of the joint capital
13 outlay subcommittee (JCOS) for any construction, renovation, or
14 other capital outlay projects pursuant to JCOS policy. The
15 appropriation in section 236 for a public university that fails to
16 comply with JCOS reporting requirements shall be reduced by 1% for
17 each violation.

18 Sec. 276. (1) Included in the appropriation **FOR FISCAL YEAR**
19 **2012-2013** for each public university in section 236 is funding for
20 the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks future
21 faculty program that is intended to increase the pool of
22 academically or economically disadvantaged candidates pursuing
23 faculty teaching careers in postsecondary education. Preference may
24 not be given to applicants on the basis of race, color, ethnicity,
25 gender, or national origin. Institutions should encourage
26 applications from applicants who would otherwise not adequately be
27 represented in the graduate student and faculty populations. Each

1 public university shall apply the percentage change applicable to
2 every public university in the calculation of appropriations in
3 section 236 to the amount of funds allocated to the future faculty
4 program.

5 (2) The program shall be administered by each public
6 university in a manner prescribed by the workforce development
7 agency. The workforce development agency shall use a good faith
8 effort standard to evaluate whether a fellowship is in default.

9 Sec. 277. (1) Included in the appropriation **FOR FISCAL YEAR**
10 **2012-2013** for each public university in section 236 is funding for
11 the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks college day
12 program that is intended to introduce academically or economically
13 disadvantaged schoolchildren to the potential of a college
14 education. Preference may not be given to participants on the basis
15 of race, color, ethnicity, gender, or national origin. Public
16 universities should encourage participation from those who would
17 otherwise not adequately be represented in the student population.

18 (2) Individual program plans of each public university shall
19 include a budget of equal contributions from this program, the
20 participating public university, the participating school district,
21 and the participating independent degree-granting college. College
22 day funds shall not be expended to cover indirect costs. Not more
23 than 20% of the university match shall be attributable to indirect
24 costs. Each public university shall apply the percentage change
25 applicable to every public university in the calculation of
26 appropriations in section 236 to the amount of funds allocated to
27 the college day program.

1 (3) The program described in this section shall be
2 administered by each public university in a manner prescribed by
3 the workforce development agency.

4 Sec. 278. (1) Included in section 236 **FOR FISCAL YEAR 2012-**
5 **2013** is funding for the Martin Luther King, Jr. - Cesar Chavez -
6 Rosa Parks select student support services program for developing
7 academically or economically disadvantaged student retention
8 programs for 4-year public and independent educational institutions
9 in this state. Preference may not be given to participants on the
10 basis of race, color, ethnicity, gender, or national origin.
11 Institutions should encourage participation from those who would
12 otherwise not adequately be represented in the student population.

13 (2) An award made under this program to any 1 institution
14 shall not be greater than \$150,000.00, and the amount awarded shall
15 be matched on a 70% state, 30% college or university basis.

16 (3) The program described in this section shall be
17 administered by the workforce development agency.

18 Sec. 279. (1) Included in section 236 **FOR FISCAL YEAR 2012-**
19 **2013** is funding for the Martin Luther King, Jr. - Cesar Chavez -
20 Rosa Parks college/university partnership program between 4-year
21 public and independent colleges and universities and public
22 community colleges, which is intended to increase the number of
23 academically or economically disadvantaged students who transfer
24 from community colleges into baccalaureate programs. Preference may
25 not be given to participants on the basis of race, color,
26 ethnicity, gender, or national origin. Institutions should
27 encourage participation from those who would otherwise not

1 adequately be represented in the transfer student population.

2 (2) The grants shall be made under the program described in
3 this section to Michigan public and independent colleges and
4 universities. An award to any 1 institution shall not be greater
5 than \$150,000.00, and the amount awarded shall be matched on a 70%
6 state, 30% college or university basis.

7 (3) The program described in this section shall be
8 administered by the workforce development agency.

9 Sec. 280. (1) Included in the appropriation **FOR FISCAL YEAR**
10 **2012-2013** for each public university in section 236 is funding for
11 the Martin Luther King, Jr. - Cesar Chavez - Rosa Parks visiting
12 professors program which is intended to increase the number of
13 instructors in the classroom to provide role models for
14 academically or economically disadvantaged students. Preference may
15 not be given to participants on the basis of race, color,
16 ethnicity, gender, or national origin. Public universities should
17 encourage participation from those who would otherwise not
18 adequately be represented in the student population.

19 (2) The program described in this section shall be
20 administered by the workforce development agency.

21 Sec. 281. (1) Included in the appropriation **FOR FISCAL YEAR**
22 **2012-2013** in section 236 is funding under the Martin Luther King,
23 Jr. - Cesar Chavez - Rosa Parks initiative for the Morris Hood, Jr.
24 educator development program which is intended to increase the
25 number of academically or economically disadvantaged students who
26 enroll in and complete K-12 teacher education programs at the
27 baccalaureate level. Preference may not be given to participants on

1 the basis of race, color, ethnicity, gender, or national origin.
2 Institutions should encourage participation from those who would
3 otherwise not adequately be represented in the teacher education
4 student population.

5 (2) The program described in this section shall be
6 administered by each state-approved teacher education institution
7 in a manner prescribed by the workforce development agency.

8 (3) Approved teacher education institutions may and are
9 encouraged to use student support services funding in coordination
10 with the Morris Hood, Jr. funding to achieve the goals of the
11 program described in this section.

12 Sec. 282. Each institution receiving funds under section 278,
13 279, or 281 shall notify the workforce development agency by April
14 15, ~~2012~~—2013 as to whether it will expend by the end of its fiscal
15 year the funds received under section 278, 279, or 281.
16 Notwithstanding the award limitations in sections 278 and 279, the
17 amount of funding reported as not being expended will be
18 reallocated to the institutions that intend to expend all funding
19 received under section 278, 279, or 281.

20 Sec. 283. (1) From the amount appropriated in section 236, the
21 public universities shall systematically inform Michigan high
22 schools regarding the academic status of students from each high
23 school in a manner prescribed by the presidents council, state
24 universities of Michigan in cooperation with the Michigan
25 association of secondary school principals. **PUBLIC UNIVERSITIES**
26 **SHALL ALSO WORK WITH THE CENTER FOR EDUCATIONAL PERFORMANCE AND**
27 **INFORMATION TO DESIGN AND IMPLEMENT A SYSTEMATIC APPROACH FOR**

1 **ACCOMPLISHING THIS TASK.**

2 (2) The Michigan high schools shall systematically inform the
3 public universities about the use of information received under
4 this section in a manner prescribed by the Michigan association of
5 secondary school principals in cooperation with the presidents
6 council, state universities of Michigan.

7 Sec. 284. From the amount appropriated in section 236, the
8 public universities shall inform Michigan community colleges
9 regarding the academic status of community college transfer
10 students in a manner prescribed by the presidents council, state
11 universities of Michigan in cooperation with the Michigan community
12 college association. **PUBLIC UNIVERSITIES SHALL ALSO WORK WITH THE
13 CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION TO DESIGN AND
14 IMPLEMENT A SYSTEMATIC APPROACH FOR ACCOMPLISHING THIS TASK.**

15 Sec. 285. Public universities shall work with the state
16 community colleges to encourage the transfer of students from the
17 community colleges to the public universities and to facilitate the
18 transfer of credits from the community colleges to ~~the~~**THOSE** public
19 universities.

20 Sec. 286. It is the intent of the legislature that public
21 universities work with community colleges in the state to implement
22 statewide reverse transfer agreements to increase the number of
23 students that are awarded credentials of value upon completion of
24 the necessary credits. ~~In doing so, the institutions should work
25 collaboratively and cooperatively to remove administrative barriers
26 that result in understating the academic attainment of Michigan's
27 citizens.~~ It is the intent of the legislature that ~~by August 1,~~

1 ~~2012, THESE~~ statewide agreements are in place between community
2 colleges and public universities that **SHALL** enable students who
3 have earned a significant number of credits at a community college
4 and transfer to a baccalaureate granting institution before
5 completing a degree to transfer the credits earned at the
6 baccalaureate institution back to the community college in order to
7 be awarded a credential of value.

8 Sec. 289. (1) The auditor general shall review higher
9 education institutional data inventory (HEIDI) enrollment data
10 submitted by all public universities **UNDER SECTION 241** and may
11 perform audits of selected public universities if determined
12 necessary. The review and audits shall be based upon the
13 definitions, requirements, and uniform reporting categories
14 established by the state budget director in consultation with the
15 HEIDI advisory committee. The auditor general shall submit a report
16 of findings to the house and senate appropriations committees and
17 the state budget director no later than July 1 ~~7, 2012.~~ **OF EACH YEAR.**

18 (2) Student credit hours reports shall not include the
19 following:

20 (a) Student credit hours generated through instructional
21 activity by faculty or staff in classrooms located outside
22 Michigan, with the exception of instructional activity related to
23 study-abroad programs or field programs.

24 (b) Student credit hours generated through distance learning
25 instruction for students not eligible for the public university's
26 in-state main campus resident tuition rate. However, in instances
27 where a student is enrolled in distance education and non-distance

1 education credit hours in a given term and the student's non-
2 distance education enrollment is at a campus or site located within
3 Michigan, student credit hours per the student's eligibility for
4 in-state or out-of-state tuition rates may be reported.

5 (c) Student credit hours generated through credit by
6 examination.

7 (d) Student credit hours generated through inmate prison
8 programs regardless of teaching location.

9 (e) Student credit hours generated in new degree programs
10 after January 1, 1975, that have not been specifically authorized
11 for funding by the legislature, except spin-off programs converted
12 from existing core programs that do all of the following:

13 (i) Represent new options, fields, or concentrations within
14 existing programs.

15 (ii) Are consistent with the current institutional role and
16 mission.

17 (iii) Are accommodated within the continuing funding base of the
18 public university.

19 (iv) Do not require a new degree level beyond that which the
20 public university is currently authorized to grant within that
21 discipline or field.

22 (v) Do not require funding from the state other than that
23 provided by the student credit hours generated within the program,
24 either before program initiation or within the first 3 years of
25 program operation.

26 (3) The auditor general shall periodically audit higher
27 education institutional data inventory (HEIDI) data as submitted by

1 the public universities **UNDER SECTION 241** for compliance with the
 2 definitions established by the state budget director in
 3 consultation with the HEIDI advisory committee for the HEIDI
 4 database.

5 (4) "Distance learning instruction" as used in subsection (2)
 6 means instruction that occurs solely in other than a traditional
 7 classroom setting where the student and instructor are in the same
 8 physical location and for which a student receives course credits
 9 and is charged tuition and fees. Examples of distance learning
 10 instruction are instruction delivered solely through the Internet,
 11 cable television, teleconference, or mail.

12 Sec. 290. (1) ~~Pursuant to~~ **FOR THE PURPOSES OF** section
 13 289(2) (e), **THE LEGISLATURE AUTHORIZES THE** public universities ~~may~~
 14 **TO** establish the following **NEW** degree programs:

15 (a) Bachelor's degree programs:

16 ~~Central Michigan University, Athletic Training, B.S.A.T.~~

17 ~~Grand Valley State University, Comprehensive Science and Arts~~
 18 ~~for Teaching (CSAT), B.A./B.S.~~

19 ~~Northern Michigan University, Fisheries and Wildlife~~
 20 ~~Management, B.S.~~

21 ~~Northern Michigan University, German Studies, Baccalaureate~~

22 ~~Oakland University, Bachelor of Liberal Studies, B.A.~~

23 ~~University of Michigan Dearborn, Bio Engineering, B.S.E.~~

24 ~~University of Michigan Dearborn, Integrated Science, B.S.~~

25 ~~University of Michigan Flint, Economics, B.S.~~

26 ~~University of Michigan Flint, Energy and Sustainable Systems,~~
 27 ~~B.S.~~

1 ~~University of Michigan Flint, English with a Specialization in~~
2 ~~Linguistics, B.A.~~

3 ~~Wayne State University, Astronomy, B.A.~~

4 ~~Wayne State University, Biomedical Engineering, B.S.~~

5 CENTRAL MICHIGAN UNIVERSITY, COMPUTER ENGINEERING, B.S.

6 EASTERN MICHIGAN UNIVERSITY, INTERDISCIPLINARY ENVIRONMENTAL
7 SCIENCE AND SOCIETY PROGRAM, B.S.

8 FERRIS STATE UNIVERSITY, GRAPHIC MEDIA MANAGEMENT, B.S.

9 FERRIS STATE UNIVERSITY, HEALTH CARE MARKETING, B.S.

10 FERRIS STATE UNIVERSITY, INSURANCE AND RISK MANAGEMENT, B.S.

11 GRAND VALLEY STATE UNIVERSITY, RELIGIOUS STUDIES, B.A./B.S.

12 MICHIGAN TECHNOLOGICAL UNIVERSITY, ENGINEERING MANAGEMENT,
13 B.S.

14 OAKLAND UNIVERSITY, BIOMEDICAL SCIENCES, B.S.

15 OAKLAND UNIVERSITY, LIBERAL ARTS MAJOR IN CREATIVE WRITING,
16 B.A.

17 UNIVERSITY OF MICHIGAN - ANN ARBOR, ENVIRONMENTAL ENGINEERING,
18 B.S.E

19 UNIVERSITY OF MICHIGAN - DEARBORN, DIGITAL FORENSICS, B.S.

20 UNIVERSITY OF MICHIGAN - DEARBORN, READING - ELEMENTARY
21 CERTIFICATION, B.A.

22 WAYNE STATE UNIVERSITY, INSTRUCTIONAL TECHNOLOGY, B.A./B.S.

23 WESTERN MICHIGAN UNIVERSITY, JAPANESE, B.A.

24 WESTERN MICHIGAN UNIVERSITY, E-BUSINESS MARKETING, B.B.A.

25 WESTERN MICHIGAN UNIVERSITY, HEALTH INFORMATICS AND
26 INFORMATION MANAGEMENT, B.S./B.B.A.

27 (b) Master's degree programs:

1 ~~Eastern Michigan University, Teaching Secondary Mathematics,~~
2 ~~M.A.~~
3 ~~Michigan State University, Education for the Health~~
4 ~~Professions, M.A.~~
5 ~~Michigan State University, Marketing Research, M.S.~~
6 ~~Oakland University, Clinical Nurse Leadership, M.S.N.~~
7 ~~Oakland University, Master of Arts Communication, M.A.C.~~
8 ~~Oakland University, Mechatronics, M.S.~~
9 ~~University of Michigan Ann Arbor, Oral and Maxillofacial~~
10 ~~Pathology Program, M.S.~~
11 ~~University of Michigan Flint, Master of Public Health, M.P.H.~~
12 ~~Wayne State University, Electric Drive Vehicle Engineering,~~
13 ~~M.S.~~
14 ~~Western Michigan University, Engineering (Chemical), M.S.~~
15 **FERRIS STATE UNIVERSITY, INFORMATION SECURITY AND**
16 **INTELLIGENCE, M.S.**
17 **MICHIGAN TECHNOLOGICAL UNIVERSITY, INTEGRATED GEOSPATIAL**
18 **TECHNOLOGY, M.S.**
19 **MICHIGAN TECHNOLOGICAL UNIVERSITY, MEDICAL INFORMATICS, M.S.**
20 **OAKLAND UNIVERSITY, PSYCHOLOGY, M.S.**
21 **UNIVERSITY OF MICHIGAN - ANN ARBOR, ENTREPRENEURSHIP, MASTER'S**
22 **UNIVERSITY OF MICHIGAN - ANN ARBOR, JOINT MASTER'S DEGREE AND**
23 **GRADUATE CERTIFICATE PROGRAM IN HEALTH INFORMATICS, MASTER'S**
24 **UNIVERSITY OF MICHIGAN - ANN ARBOR, MASTER'S OF ENGINEERING IN**
25 **APPLIED CLIMATE, MASTER'S**
26 **UNIVERSITY OF MICHIGAN - ANN ARBOR, MASTER'S OF MEDICAL**
27 **SCIENCE, M.M.S.**

1 UNIVERSITY OF MICHIGAN - DEARBORN, BUSINESS ANALYTICS WITH A
2 MAJOR IN BUSINESS ANALYTICS, M.S.

3 UNIVERSITY OF MICHIGAN - DEARBORN, SUPPLY CHAIN MANAGEMENT
4 WITH MINOR IN SUPPLY CHAIN MANAGEMENT, M.S.

5 UNIVERSITY OF MICHIGAN - FLINT, ACCOUNTING, M.S.

6 UNIVERSITY OF MICHIGAN - FLINT, MASTER OF ARTS WITH
7 CERTIFICATION PROGRAM, M.A.

8 UNIVERSITY OF MICHIGAN - FLINT, MATHEMATICS, M.A.

9 (c) Doctoral degree programs:

10 ~~Central Michigan University, Doctor of Medicine, M.D.~~

11 ~~Michigan Technological University, Environmental and Energy
12 Policy, Ph.D.~~

13 ~~Michigan Technological University, Geophysics, Ph.D.~~

14 ~~Oakland University, Doctor of Medicine, M.D.~~

15 ~~University of Michigan Ann Arbor, Doctor of Nursing Practice,
16 D.N.P.~~

17 ~~University of Michigan Ann Arbor, Doctoral Degree Granting
18 Program in Cancer Biology, Doctoral~~

19 ~~University of Michigan Dearborn, Education Specialist, Ed.S.~~

20 ~~University of Michigan Flint, Doctor of Anesthesia Practice,
21 Dr.A.P.~~

22 ~~University of Michigan Flint, Doctor of Occupational Therapy,
23 Dr.O.T.~~

24 ~~Western Michigan University, Engineering and Applied Sciences,
25 Ph.D.~~

26 MICHIGAN STATE UNIVERSITY, DOCTOR OF NURSING PRACTICE, D.N.P.

27 MICHIGAN STATE UNIVERSITY, EDUCATIONAL LEADERSHIP, ED.D.

1 MICHIGAN TECHNOLOGICAL UNIVERSITY, BIOCHEMISTRY AND MOLECULAR
2 BIOLOGY, PH.D.

3 NORTHERN MICHIGAN UNIVERSITY, DOCTOR OF NURSING PRACTICE,
4 D.N.P.

5 OAKLAND UNIVERSITY, EARLY EDUCATION AND INTERVENTION, ED.S.

6 OAKLAND UNIVERSITY, PSYCHOLOGY, PH.D.

7 SAGINAW VALLEY STATE UNIVERSITY, DOCTOR OF NURSING PRACTICE,
8 D.N.P.

9 UNIVERSITY OF MICHIGAN - ANN ARBOR, NUTRITIONAL SCIENCES,
10 PH.D.

11 (2) The listing of degree programs in subsection (1) does not
12 constitute legislative intent to provide additional dollars for
13 those programs.

14 (3) When submitting the listing of new degree programs for
15 purposes of section 289(2)(e), the presidents council of state
16 universities shall also provide a listing of degree programs that
17 institutions of higher education will no longer offer in subsequent
18 academic years.

19 Sec. 291. The auditor general may conduct performance audits
20 of public universities receiving funds in section 236 ~~during the~~
21 ~~fiscal year ending September 30, 2012~~ as the auditor general
22 considers necessary.

23 Sec. 293. A public university ~~receiving~~ **THAT RECEIVES** funds
24 under this article and also subject to the family educational
25 rights and privacy act, ~~(FERPA)~~, 20 USC 1232g, 34 CFR part 99,
26 shall, when requested, provide information from the records of a
27 student to any ~~person or persons~~ **INDIVIDUAL OR INDIVIDUALS** to whom

1 the student has authorized disclosure on a written consent form
2 pursuant to 34 CFR 99.30.

3 SEC. 293A. IT IS THE INTENT OF THE LEGISLATURE THAT FISCAL
4 YEAR 2012-2013 APPROPRIATIONS TO THE DEPARTMENT OF TECHNOLOGY,
5 MANAGEMENT, AND BUDGET FOR STATE BUILDING AUTHORITY RENT BE
6 PROVIDED FOR THE STATE SHARE OF COSTS FOR PREVIOUSLY CONSTRUCTED
7 CAPITAL PROJECTS FOR PUBLIC UNIVERSITIES. THESE APPROPRIATIONS FOR
8 STATE BUILDING AUTHORITY RENT REPRESENT ADDITIONAL STATE GENERAL
9 FUND SUPPORT PROVIDED TO PUBLIC UNIVERSITIES, AND THE FOLLOWING IS
10 AN ESTIMATE OF THE AMOUNT OF THAT SUPPORT TO EACH UNIVERSITY:

- 11 (A) CENTRAL MICHIGAN UNIVERSITY, \$9,100,100.00.
- 12 (B) EASTERN MICHIGAN UNIVERSITY, \$5,203,100.00.
- 13 (C) FERRIS STATE UNIVERSITY, \$6,322,100.00.
- 14 (D) GRAND VALLEY STATE UNIVERSITY, \$4,251,000.00.
- 15 (E) LAKE SUPERIOR STATE UNIVERSITY, \$910,000.00.
- 16 (F) MICHIGAN STATE UNIVERSITY, \$16,096,000.00.
- 17 (G) MICHIGAN TECHNOLOGICAL UNIVERSITY, \$7,645,600.00.
- 18 (H) NORTHERN MICHIGAN UNIVERSITY, \$7,450,000.00.
- 19 (I) OAKLAND UNIVERSITY, \$10,726,000.00.
- 20 (J) SAGINAW VALLEY STATE UNIVERSITY, \$9,774,000.00.
- 21 (K) UNIVERSITY OF MICHIGAN - ANN ARBOR, \$9,156,100.00.
- 22 (L) UNIVERSITY OF MICHIGAN - DEARBORN, \$6,294,000.00.
- 23 (M) UNIVERSITY OF MICHIGAN - FLINT, \$2,854,100.00.
- 24 (N) WAYNE STATE UNIVERSITY, \$13,000,100.00.
- 25 (O) WESTERN MICHIGAN UNIVERSITY, \$15,264,000.00.

26 Enacting section 1. In accordance with section 30 of article
27 IX of the state constitution of 1963, total state spending from

1 state sources for higher education for fiscal year 2012-2013 under
2 article III of the state school aid act of 1979, 1979 PA 94, as
3 amended by this amendatory act, is estimated at \$1,302,194,000.00
4 and the amount of that state spending from state sources to be paid
5 to local units of government for fiscal year 2012-2013 is estimated
6 at \$0.

7 Enacting section 2. Sections 237a, 240, 262, 266, 270a, 271,
8 272, 292, and 294 of the state school aid act of 1979, 1979 PA 94,
9 MCL 388.1837a, 388.1840, 388.1862, 388.1866, 388.1870a, 388.1871,
10 388.1872, 388.1892, and 388.1894, are repealed effective October 1,
11 2012.

12 Enacting section 3. (1) Except as otherwise provided in
13 subsection (2), this amendatory act takes effect October 1, 2012.

14 (2) Sections 252, 265, 265a, and 267 of the state school aid
15 act of 1979, 1979 PA 94, MCL 388.1852, 388.1865, 388.1865a, and
16 388.1867, as amended by this amendatory act, take effect upon
17 enactment of this amendatory act.